

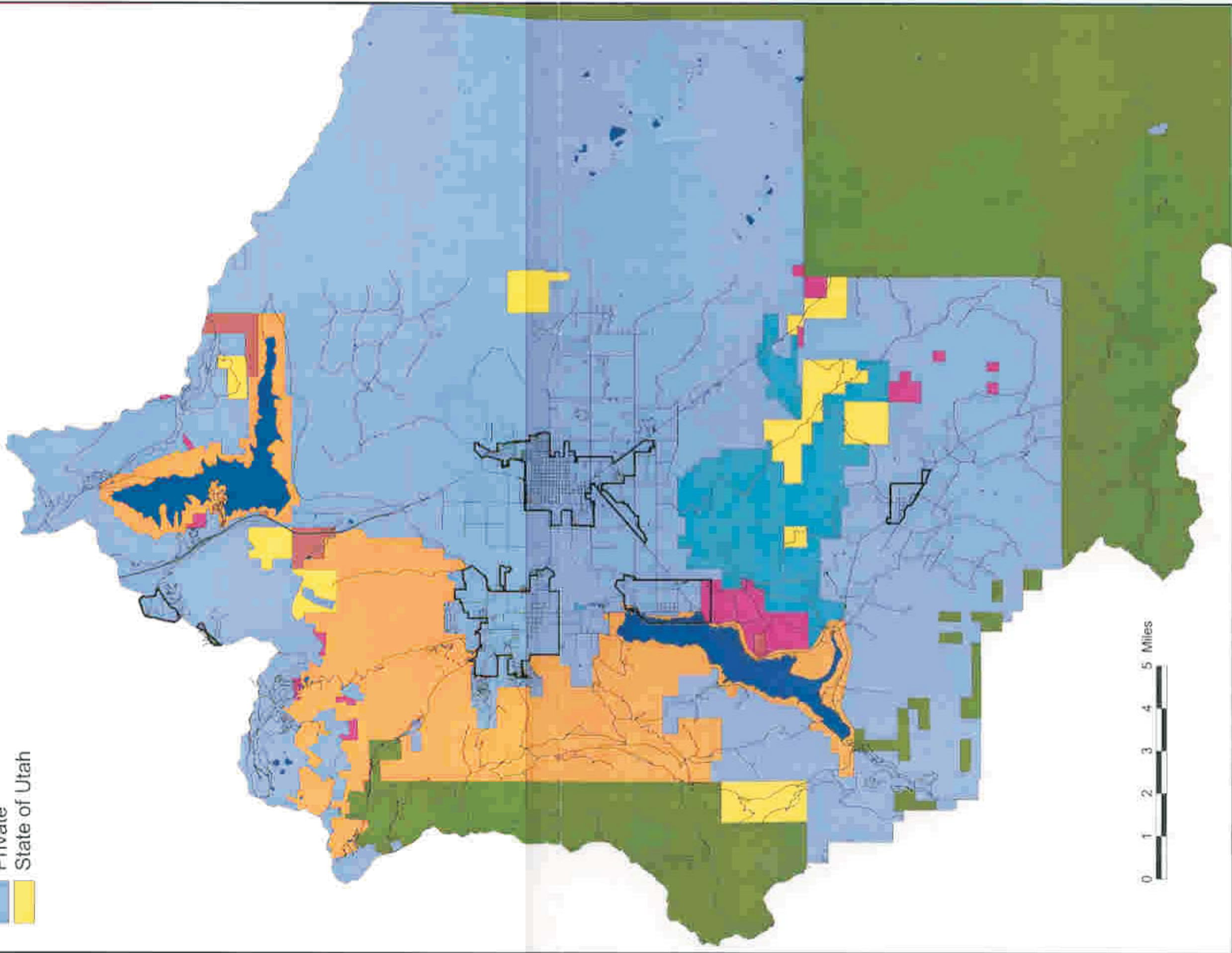
**APPENDIX F:**

**WASATCH COUNTY  
ZONING  
ORDINANCES  
AND MAPS**

LEGEND



Wasatch County  
SURFACE MANAGEMENT  
RESPONSIBILITY





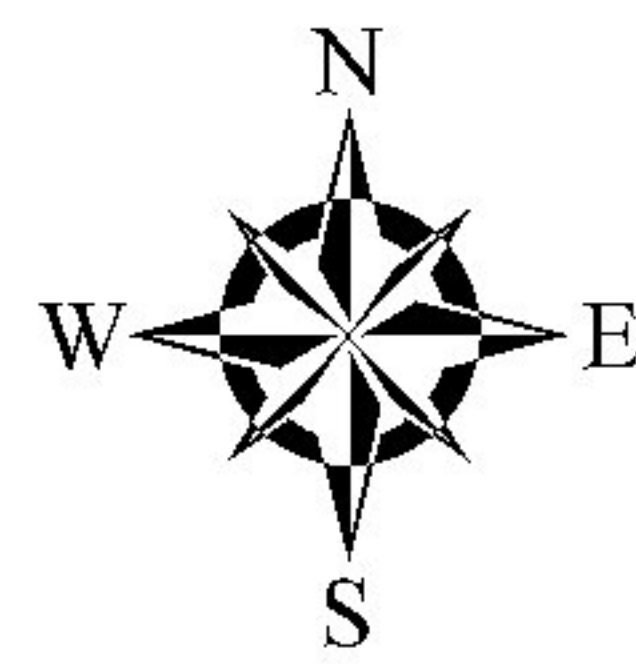
**Legend**

— APO - 1 Airport Overlay  
— Airport  
— Primary Road  
— Secondary Road  
— Road / Trail  
— Perennial Stream  
— Township and Range  
— Section Line  
— Transitional Overlay Zone  
— North Village  
— Jordanelle Overlay Zone  
— Water Body

**ZONE**

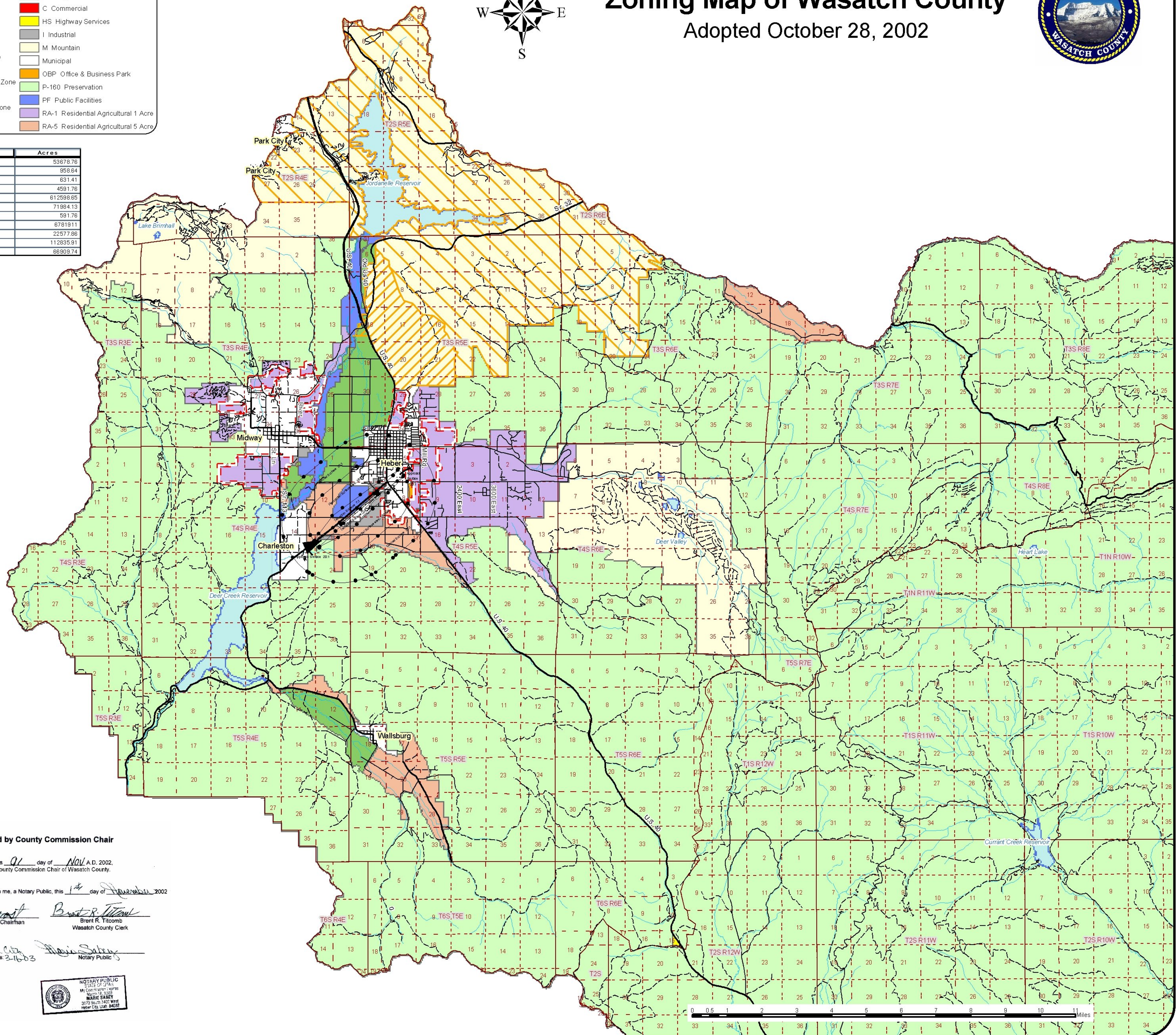
A-20 Agricultural  
C Commercial  
HS Highway Services  
I Industrial  
M Mountain  
Municipal  
OBP Office & Business Park  
P-160 Preservation  
PF Public Facilities  
RA-1 Residential Agricultural 1 Acre  
RA-5 Residential Agricultural 5 Acre

Zone	Acres
A-20	53678.78
C	958.84
HS	631.41
I	4591.78
M	812598.65
Municipal	71984.13
OBP	591.76
P-160	87819.11
PF	22577.86
RA-1	112835.91
RA-5	66809.74



# Zoning Map of Wasatch County

Adopted October 28, 2002



Signed by County Commission Chair

Signed this 01 day of NOV, A.D. 2002,  
by the County Commission Chair of Wasatch County.

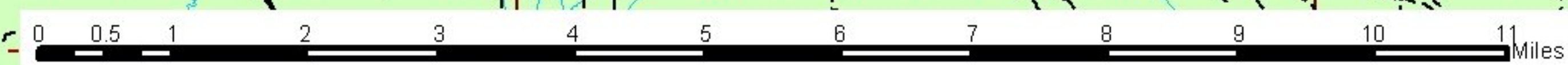
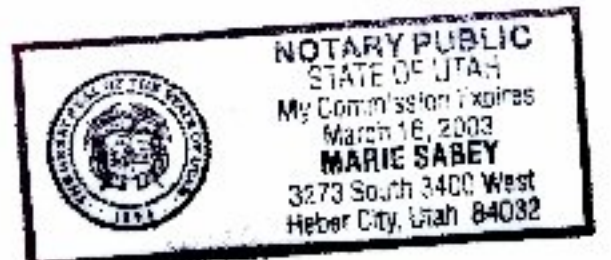
SUBSCRIBED AND SWORN to me, a Notary Public, this 1st day of NOV, 2002

T. LaRen Provost  
T. LaRen Provost, Chairman

Brent R. Titcomb  
Brent R. Titcomb  
Wasatch County Clerk

Residing in: Heber City  
My commission expires: 3-16-03

Maria Sabey  
Notary Public





**WASATCH COUNTY  
PLANNING, ZONING AND DEVELOPMENT CODE  
TITLE 16, CHAPTER FIVE - (P-160) PRESERVATION ZONE**

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**16.05. (P-160) Preservation Zone.**

- 16.05.01. Purpose.
- 16.05.02. Permitted Principal Uses.
- 16.05.03. Conditional Uses.
- 16.05.04. Lot Area.
- 16.05.05. Lot Width.
- 16.05.06. Lot Frontage.
- 16.05.07. Lot Area Per Dwelling.
- 16.05.08. Setback Requirements.
- 16.05.09. Building Height.
- 16.05.10. Distance Between Buildings.
- 16.05.11. Site Plan Provisions.
- 16.05.12. Permissible Lot Coverage.
- 16.05.13. Parking, Loading & Access.
- 16.05.14. Other Requirements.
- 16.05.15. Gravel Pit.

**16.05.01 Purpose.**

The purpose of the (P-160) Preservation Zone is to establish areas in Wasatch County where development may be limited due to the remoteness of services, topography, and other sensitive environmental issues. Furthermore, the specific intent in establishing the (P-160) Preservation Zone is for the following purposes:

- (1) Protect the present and future water supply of the County and surrounding counties;
- (2) Protect natural features and sensitive environmental areas;
- (3) Protect the County's grazing and forestry land;
- (4) Avoid excessive costs for public services which result from excessive scattering of residential dwellings in remote areas;
- (5) Prevent excessive soil erosion and water pollution;
- (6) Promote the raising and keeping of domestic and wild animals and fowl in keeping with optimum intensity of use, consistent with recognized range management practices;

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- (7) Prevent the necessity of having to pay excessive taxes on grazing lands;
- (8) Preserve and protect recreational opportunities;
- (9) Allow residential development on a limited basis when services are not readily available but are appropriately addressed by the developer to the satisfaction of the County; and
- (10) Residents of the proposed development would have essential services provided at a level that would not impact their health, safety, and welfare and to provide these services would not be fiscally irresponsible for the County.

**16.05.02. Permitted Principal Uses.**

Those principal uses or categories of uses as listed herein, and no others, are permitted in the (P-160) Preservation Zone.

- (1) All uses contained herein are listed by number as designated in the Wasatch County Land Use Classifications, which is published and maintained by the Planning Department, and is attached, as Appendix 1. Classes or groupings of uses permitted in the zone are identified by a four digit number in which the last one or two digits are zeros, and sub-uses of those categories or groupings will follow that number. (For example, a particular category may be listed as 8100, and a subcategory of 8100 would be 8110 and a subcategory of 8110 would 8111). This document, available in the Planning office, is to be used by the Planning office and others to assist in determining similar uses and the intent of this chapter.
- (2) All such classes listed herein and all specific uses contained within them in the Wasatch County Land Use Classification will be permitted in the (P-160) Preservation Zone subject to the limitations set forth herein.

<b>Permitted Principal Uses in the (P-160) Preservation Zone</b>	
<b>Use Number</b>	<b>Use Classification</b>
1111	Single Family Dwelling
4500	Highway and Street Rights-of-Way
4835	Irrigation Distribution Channels
4836	Water Pressure Control Stations and Pumping Plants
4839	Other Water Utilities or Irrigation, NEC
4841	Underground Sewage Pipeline Right-of-Way
7190	Historic and Monument Sites
8162	Range Land
8180	Fallow
8300	Forestry Activities and Related Services

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- (3) **Permitted Accessory Uses.** Accessory uses and structures are permitted in the (P-160) Preservation Zone provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure.
- (a) Accessory buildings such as garages, carports, greenhouses, gardening sheds, and similar structures, which are customarily used in conjunction with and are incidental to a principal use or structure.
  - (b) Swimming pools and incidental bath houses.
  - (c) Storage of materials used for the construction of a building including a temporary contractor's office and/or tool shed, provided that such uses are on the building site, and provided further, that such use shall be for only the period of construction and thirty (30) days thereafter. Approval is subject to a bond and site plan approval from planning staff.
  - (d) Barns, corrals, and arenas.

**16.05.03. Conditional Uses.**

The following uses and structures are permitted in the (P-160) Preservation Zone only after a conditional use permit has been approved, and subject to the terms and conditions thereof.

<b>Conditional Uses in the (P-160) Preservation Zone</b>	
<b>Use Number</b>	<b>Use Classification</b>
1906	Grouping of Residential Lots
4712	Telephone, Relay Towers, Microwave or Others, Mix 1 Dwellings
4810	Electric Utilities (Except 4813)
4824	Gas Pressure Control Stations
4833	Water Storage
4834	Water Storage Covered
4910	Underground Pipeline Right-of-Way and Pressure Control Stations,
7520	Group or Organized Camps
8405	Fishing Activities for Personal Use Only
8542	Crushed and Broken Stone Quarrying
8543	Sand and Gravel Quarrying

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**16.05.04. Lot Area.**

The minimum lot area or parcel size in the (P-160) Preservation Zone shall be one hundred sixty (160) acres per single-family dwelling. Grouping of residential development lots may be allowed provided that services are available and density is not increased more than base density, i.e., one (1) unit per one hundred and sixty (160) acres. The approval process for grouping of residential lots is outlined in the Planned Performance Development Chapter 16.29. No density bonuses will be granted for development in the (P-160) Preservation Zone.

**16.05.05. Lot Width.**

Each lot or parcel of land in the (P-160) Preservation Zone shall have a lot width of at least three hundred and twenty (320) feet measured at the front setback. This requirement is also applicable to projects that group residential lots unless a sewer system is provided in which case lot widths may be two hundred (200) feet.

**16.05.06. Lot Frontage.**

Each lot or parcel of land in the (P-160) Preservation Zone shall abut a public road or a road built to County standards for a minimum distance of three hundred (300) feet. The lot frontage shall be measured along the street right-of-way.

**16.05.07. Lot Area Per Dwelling.**

Not more than one (1) single-family dwelling may be placed upon a lot or parcel of land in the (P-160) Preservation Zone.

**16.05.08. Setback Requirements.**

The setback requirements for this zone shall be as follows:

- (1) **Front Setback. Residential Structures or Accessory Buildings That Will Not House Animals.** The front setback shall be a minimum of sixty (60) feet from the center of the road, or thirty (30) feet from the edge of the right-of-way, whichever is greater. If the property is located on a State or Federal Highway, the setbacks shall be a minimum of one hundred fifty (150) feet from the edge of the right-of-way. Corner lots shall have two front setbacks on the street sides.
- (2) **Barns, Coops or Other Structures That Will House Animals.** The front setback for such structures shall be a minimum of one hundred (100) feet from the edge of the right-of-way, providing however, all such structures must also be set back from any existing residential structure, at least one hundred (100) feet, or a minimum of fifty (50) feet side setback, from any adjoining undeveloped property line. If located on a state or federal highway, accessory structures shall be behind the main structure.
- (3) **Side Setbacks.** All permitted structures shall be set back from the side property line a minimum of twelve (12) feet. Buildings that will house animals shall have a side setback of not less than fifty (50) feet and be at least one hundred (100) feet from any dwelling on or off-site.

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- (4) **Rear Setbacks.** All permitted structures shall be set back from the rear property line a minimum of thirty (30) feet. Buildings that will house animals shall have a setback of at least fifty (50) feet and be at least one hundred (100) feet from any dwelling on or off-site.
- (5) **Railroad Setbacks.** The setback of all residential dwellings shall be a minimum of seventy-five (75) feet from the railroad right-of-way.

**16.05.09. Building Height.**

Height of all dwellings, accessory buildings, and/or structures shall not exceed thirty-five (35) feet above natural grade.

**16.05.10. Distance Between Buildings.**

The distance between any accessory building and the main building that does not house animals, shall be not less than twenty (20) feet.

**16.05.11. Site Plan Provisions.**

Before the issuance of a building permit for a dwelling or any other permitted or conditional use, a site plan must be submitted to the Planning Department showing the location of any existing conditions, structures, topography or any environmentally sensitive lands located on the lot.

**16.05.12. Permissible Lot Coverage.**

See Chapter 16.28.07(13).

**16.05.13. Parking, Loading, and Access.**

Parking, Loading and Access requirements are discussed in detail in Chapter 16.20. Please refer to that section for further details applying to this zone.

**16.05.14. Other Requirements.**

- (1) **Signs.** Please refer to Section 16.26 for specific sign regulations. Generally the following regulations apply to this zone.
  - (a) Signs or name plates not exceeding two (2) square feet in area and displaying only the name and address of the occupant.
  - (b) Home occupation signs. Signs advertising the sale of products lawfully produced on the premises.
- (2) **Landscaping.** There are no landscaping requirements in the (P-160) Preservation Zone, unless approved for grouping of residential lots.
- (3) **Walls and Fences.** Fences in the (P-160) Preservation Zone shall be minimal, and shall only fence in a small area not over one (1) acre in size to protect the dwelling and landscaping around the dwelling. Any other fencing will only be permitted if the design does not inhibit the movement of deer, elk or other wildlife on the property.



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**(4) Water Requirements.**

- (a) Each dwelling shall be considered a full-time residence and must have sufficient culinary water available as required by the State Division of Drinking Water and Division of Water Rights and/or governing water district.
- (b) Each dwelling must have sufficient water for outside irrigation to provide water for any landscaped area, plus any water required for irrigation of any agricultural use intended. The amount of water required for outside irrigation will be determined by the Wasatch County Water Resources Director, based upon the appropriate needs of the property, after taking into consideration the existing irrigation patterns and any landscaping or agricultural plans of the owner. The Director will also be guided by the policies of the Division of Water Rights.

**(5) Compliance with Zoning Restrictions not a Guarantee of Building Permit.** All applicable requirements for issuance of a building permit from all Departments must be met before the permit may be issued.

**(6) Additional Regulations.** In the event of a conflict between this section and any other County regulations, the regulations of this section shall control. See also Chapter 16.27 for additional regulations that apply to this zone. In the event of a conflict between that section and the regulations contained in this section, the regulations of this section would control.

**(7) Division of Property.**

Prior to consideration for development in the Wasatch Mountain Planning Area, in conformance with the General Plan, the following shall be required:

- (a) Preparation of a physical constraints inventory;
- (b) Preparation of a site master plan;
- (c) An amendment to the General Plan; and
- (d) An amendment to the Zoning Map.

**16.05.15. Gravel Pit Standards.**

- (1) Gravel Pits are only allowed in the (P-160) Preservation Zone as a conditional use.
- (2) Before a conditional use application is considered by the Planning Commission the applicant shall submit the following items for their review and consideration:
  - (a) Mining Plan which shows the limits of disturbance for the entire property and the surface area for each phase that can be disturbed



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at one time;

- (b) Bonding is required to assure that each phase is restored and complies with the restoration plan;
- (c) Dust Control Plan;
- (d) Noise Control Plan;
- (e) Lighting Plan;
- (f) Time of Operation Plan;
- (g) Provide restoration plan for each of the phases and the entire property; and

Any information or plan that the Wasatch County Planning Director or Planning Commission may require.



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TITLE 16, CHAPTER FIFTEEN – JBOZ JORDANELLE BASIN OVERLAY  
ZONE**

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**16.15. JBOZ Jordanelle Basin Overlay Zone.**

- 16.15.01. Purpose.
- 16.15.02. Standards and Procedures to be used in Combination.
- 16.15.03. Conditional Uses.
- 16.15.04. Lands to which the Zone Applies.
- 16.15.05. Physical Constraints Restrictions.
- 16.15.06. JBOZ Densities.
- 16.15.07. Resort Specially Planned Area (RSPA).
- 16.15.08. ERU Calculations.
- 16.15.09. Massing.
- 16.15.10. Transportation.
- 16.15.11. Public Services.
- 16.15.12. Mining.
- 16.15.13. Open Space.
- 16.15.14. Building Elements.
- 16.15.15. Setbacks.
- 16.15.16. Affordable Housing.
- 16.15.17. Weed Control.
- 16.15.18. Impact Fees.
- 16.15.19. Density Increases.
- 16.15.20. Jordanelle Architectural Advisory Committee.
- 16.15.21. Sale of Property Under Condominium Ownership Act.
- 16.15.22. Development Application Process.

**16.15.01. Purpose.**

The Jordanelle Basin Overlay Zone (JBOZ) is to implement the goals and standards established by the previously adopted Jordanelle Basin Land Use Plan and Map and accomplish the following purposes:

- (1) The lands comprising the Overlay Zone include all the Jordanelle Basin;



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- (2) To allow for development of the lands which complies with the goals and standards of the Plan;
- (3) To preserve and protect the natural beauty of the Jordanelle Basin;
- (4) To allow development based upon a “Conditional Use”, which would allow for flexibility in approvals; and
- (5) To establish regulations by which development may take place in the JBOZ.

**16.15.02. Standards and Procedures to be Used In Combination.**

The standards and procedures in this zone shall be used in combination with those established under the provision of the (M) Mountain Zone and Planned Performance Developments section contained in this Title.

**16.15.03. Conditional Uses.**

The uses permitted in the JBOZ are conditional uses only after a finding by the Wasatch County Planning Commission that the project conforms to the goals and standards of the Jordanelle Basin Land Use Plan.

**16.15.04. Lands to which the JBO Zone Applies.**

The JBOZ shall apply to all lands shown within the JBOZ on the Zoning Map of Wasatch County.

**16.15.05. Physical Constraints Restrictions.**

No land within the JBOZ shall be developed that does not conform to the physical constraints standards established in Sections 16.27.26 and 16.27.27 of this Title.

**16.15.06. JBOZ Densities.**

The following densities shall be allowed within the JBOZ. Densities may be transferred from lower density areas to higher density areas to allow for more open space and preservation of sensitive areas and view corridors, and to encourage clustering of development. If appropriate to meet the goals of the Jordanelle Land Use Plan, the Planning Commission has the authority, during the approval processes, to allow portions of the property to be adjusted up or down one land use density category, without the necessity of granting a variance. Mixed-use commercial and commercial densities may not be changed to residential densities. The standard densities shall be measured in Equivalent Residential Units termed “ERUs”.

- (1) **Critical/Sensitive Lands Open Space.** Density = 1 ERU/40 acres. This amount may be transferred to a higher density area deemed appropriate by the Planning Commission.
- (2) **Countryside Residential.** Density = 1 ERU/5 net developable acres.



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- (3) **Low-Density Residential** = 1.5 ERU/net developable acres.
- (4) **Medium Density Residential** = 1.5 to 3.5 ERU/net developable acre.
- (5) **High Density Residential** = 3.25 to 5.0 ERU/net developable acre.
- (6) **Mixed Use Commercial** = 8 ERU/net developable acre.
- (7) **Neighborhood Commercial.** Minimum site area = 20,000 square feet; Maximum building footprint size = 3,500 square feet; Maximum building square foot/site ration 35%.
- (8) **Community Commercial Uses.** Minimum site area = 40,000 square feet. Maximum building footprint size/site ratio = 18%. Maximum building square foot/site ratio 35%.
- (9) **Community/Civic Facilities** as the needs arise.

**16.15.07. Resort Specially Planned Area (RSPA).**

Density for Resort Specially Planned Areas (RSPA), meeting the requirements set forth below, shall be determined by an approved Preliminary Plan and implemented through Implementation Guidelines and Standards approved by the County.

- (1) **Purpose.** The purpose for an RSPA is to allow flexibility and creativity in the effective use of land, density, amenities, mixed uses, site layout and project design. Specific densities, height limitations, parking requirements, setbacks and other requirements of the JBOZ and other provisions of this Title may be amended or modified as necessary to accommodate the details of the proposed Master Plan. Upon combining the RSPA with an existing zone, variations from the development standards of such underlying zone may be permitted provided the variations are specifically adopted as part of the approved Implementation Guidelines and Standards. The variations from the density determination or underlying zone shall only be considered for the purpose of leading to a better design and functionality of the resort.
- (2) **Prerequisites.** In order for an RSPA application to be accepted and processed by the County, the following threshold requirements must be satisfied:
  - (a) The property to be included in the RSPA must contain at least eighty (80) acres.
  - (b) The property must incorporate within its boundaries, or be immediately adjacent to, a “major resort feature”, which may be a ski resort, golf course with at least 18 holes, marina, or other



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recreational facility designated by the County as a “major resort feature”.

- (c) The property must incorporate mixed uses including at least six of the following: condominiums, hotels, timeshares or other shared-ownership products, private residence clubs, townhomes, single-family homes, retail shops, recreational facilities, restaurants, and resort related commercial enterprises. The intention of this provision is that each project shall have a commercial/retail component.
- (d) The application must be executed by, or submitted pursuant to the written authorization of, owners of land comprising at least 66.67% of the total number of ERUs allocated to all of the land included in the proposed RSPA. The applicant shall have the option of modifying the area of the proposed RSPA following the submission of an application if necessary to satisfy the foregoing requirement, or if determined by the County and the applicant to be beneficial to the planning of the RSPA. The RSPA shall not be binding upon any particular property owner not executing or authorizing such application unless such owner later submits the property to the RSPA by written notice to the county, and agrees that such property shall be subject to the Implementation Guidelines and Standards of the RSPA.
- (e) **Review and Approval Process.** The process for review and approval of an RSPA shall be the process set forth in Section 16.15.22 (1)(3) and (7) hereof, subject to the following:
  - (i) The items listed in subparagraphs (j - y) of Section 16.15.22(3) shall not be required for review of the RSPA, but shall be required in connection with the review and approval of each specific project to be developed within the RSPA.
  - (ii) The applicant shall submit with its Preliminary Plans detailed Implementation Guidelines and Standards, setting forth the vision and objectives for the RSPA, the land use plan, proposed densities, zones within the RSPA, permitted uses, infrastructure plan, amenities plan, architectural and design guidelines and other confirmation deemed necessary and appropriate by the Planning Director for the review of proposed RSPA.



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- (iii) If, at the hearing before Planning Commission described in Section 16.15.22(7)(b), the Planning Commission approves the RSPA Plan a recommendation will be issued to the Legislative Body to establish the RSPA and adopt the Implementation Guidelines and Standards related thereto.
  - (iv) If, at the hearing before the Legislative Body described in Section 16.15.22(7)(e), the Legislative Body approves the RSPA Plan, the County Legislative Body shall approve and establish the RSPA, and shall approved and adopt the Implementation Guidelines and Standards for the RSPA, subject to any conditions which the County Legislative Body may adopt in connection with such approval. Following such approval, the Implementation Guidelines and Standards shall govern the development of all property within the RSPA. All projects proposed for development within the RSPA shall comply with the RSPA Implementation Guidelines and Standards, and shall be processed in accordance with the provisions of Section 16.15.22 of the RSPA.
- (f) **Standards for Approval.** Before an RSPA is designated and approved for any area, the Planning Commission and County Legislative Body shall determine the following:
  - (i) That there are substantial benefits to be derived by the general public in the County from adoption of the RSPA.
  - (ii) That there are unique circumstances with respect to the property and proposed master plan that justify the use of the RSPA.
  - (iii) That the proposed RSPA furthers the goals and objectives of the Jordanelle Basin Land Use Plan.
  - (iv) That approving the RSPA will not adversely affect the public health, safety, and general welfare.

**16.15.08. ERU Calculations.**

ERU calculations shall be based upon the Unit Equivalent Chart contained in Appendix 2, Figure 11 of this Title and in Chapter IV.C.5 of the Jordanelle Land Use Plan (JLUP). This does not, however, prevent the Special Service district from charging more for sewer and water. Notwithstanding the chart, if a use is proposed that is not specifically listed in the chart, the Planning Staff shall assign an ERU value to said use which most closely compares to the requested use. This assigned value may be appealed directly to the Planning Commission.



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**16.15.09. Massing.**

No structures shall be built that consumes more than forty (40) percent of the size of the lot, including all accessory structures.

**16.15.10. Transportation.**

- (1) **Interpretation.** Transportation corridors are designated areas that are outlined on the Jordanelle Master Plan Map, and will establish a framework for the consistent linkage of transportation facilities. They are a much broader concept than a mere road system. They include such things as public trails which are continuous from one development to the next on all sides of the development, and create an ability to walk to anywhere in the Jordanelle Basin and shall join with existing trails for that purpose. They shall also include pull-out areas for busses and shuttles and loading areas within commercial areas. All plans submitted will be compared with the existing roads and trails in other developments to determine that they are compatible therewith. Some roads may, with County approval, be relocated provided they are consistent with the goals of the plan.
- (2) **Trails.** Planned trails within a development must connect to trails planned in the adjoining developments on all sides of the property, and be kept open to the public for non-motorized travel, at reasonable times. This shall not preclude the closing of trails for short periods of time for maintenance, or setting hours of operation during daylight hours only, if so posted. This includes trails that are located within any gated communities. The trail plan for each development must be submitted and be approved by the Wasatch County Planning Office and be a part of the Preliminary and Final approval for such development;
- (3) **Roads.** Planned roads within a development must connect to roads planned in the adjoining development, and be kept open to the public at all times, unless special approval is granted by the County Legislative Body to allow a gated community, which shall be discouraged unless topography dictates that this development could not reasonably provide a connection to another development or public facility.
- (4) **Pull-outs.** All developments shall plan for pull-out areas for busses and small buildings for school children to seek shelter from the weather while waiting for their bus.
- (5) **Loading Areas.** All commercial areas shall include sufficient loading areas to prevent any double-parking of vehicles while loading or unloading.
- (6) **Access Control.** All access control standards are contained in the plan as well as the General Access and Parking Standards.



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**16.15.11. Public Services.**

- (1) **Sewer.** All lots located within the JBOZ shall be served with public sewer, except that if the property line is more than three hundred (300) feet from a sewer line, and an owner wishes to build one residence on a parcel of land of at least eighty (80) acres, a septic system for the single residence may be permitted if approved by the Wasatch City/County Health Department.
- (2) **Water.** All lots located within the JBOZ shall be served with a public water source, if such is available within five hundred (500) feet of any portion of the lot, and the lot is a minimum of eighty (80) acres in size. In the event a private well is allowed it must meet all County and State requirements.
- (3) **Storm Water Management.** All developments and lots contained therein shall control the release of storm water run-off by complying with the regulations established in the Wasatch County Water Quality Management Plan. If, in the future, either Wasatch County or the JSSD adopt a Storm Water System, all developments shall be required to bring their Storm Water Management systems into compliance with the required standards prior to acceptance of responsibility for such systems by the County or JSSD.
- (4) **Utilities.** All developments shall supply stub-outs to each lot contained in the development for all utilities including, but not limited to natural gas, telephone, electricity, cable television, etc.
- (5) **Snow Removal and Road Maintenance.** Snow removal and road maintenance will be the responsibility of the Homeowner's Association within each development for roads contained therein, except for any roads, or portions thereof, which are specifically accepted, at the time of approval of the development, by the County and Jordanelle Special Service District. All roads accepted by the County and the Jordanelle Special Service District shall be maintained and snow removed by the County. All developments will be planned with snow removal requirements in mind. Snow storage areas shall be planned for, and adequate shoulders for development roads will be required.
- (6) **Garbage.** Garbage collection will be provided by Wasatch County Solid Waste District. Construction debris shall be properly disposed of by the contractor prior to a Certificate of Occupancy being granted for any building.



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**16.15.12. Mining.**

All mining rights shall be reviewed by the County as conditional uses. Mining rights shall be in the form of valid traditional rights as opposed to contract rights. The water quality standard of approval is the discharge quality. A statement must accompany applications for conditional use containing the following information:

- (1) Size of operation;
- (2) Work shifts;
- (3) Tons per year estimation;
- (4) Materials to be extracted;
- (5) Processing methods;
- (6) Impact statement regarding air quality, water quality and transportation;
- (7) Proposed mitigation measures as to above items;
- (8) List of all Federal and State permits required, and the name of the supervising authority of each agency involved;
- (9) Title report;
- (10) Written legal opinion about the applicants right to access their mining products on or under the surface;
- (11) Economic viability;
- (12) Parking;
- (13) Administrative Offices;
- (14) Noise abatement plan not exceeding 50dba at any adjoining property line;
- (15) Adjacent support and subsidence plans;
- (16) Transportation plan and impact analysis which evidences that such materials will not be transported through a residential area and will not adversely impact any residential or commercial area; and
- (17) A plan which complies with all Wasatch County and Jordanelle Basin Water Quality Standards.

**16.15.13. Open Space.**

A minimum of twenty (20) percent open space is required within each development, of which at least ten (10) percent shall be contiguous, usable land which is not contained on slopes over ten (10) percent or in sensitive land areas, which make the land unusable for recreation purposes. The intent of the open space is that some open space shall be available for gathering spaces, parks,



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playgrounds and other areas that are easily accessible to people who may not be able to access steeper areas.

- (1) **Sensitive Areas.** All areas which have been designated as a sensitive area in some form on the Jordanelle Basin Land Use Map shall remain as open space, but may be counted toward the open space requirement for the development. If any development has a larger amount of sensitive area than is required for their development, density allowances for the extra land required to be left in open space may be transferred to other areas if requested and if such transfer will not result in an over-crowding of the area to which it is being transferred.
- (2) **Contiguous.** Open spaces shall be designed to be as contiguous as possible.
- (3) **Usable.** Wherever possible lands designated as open spaces should be usable for hiking and biking trails, small parks, ball fields or just picnic areas. At least ten (10) percent of the total land area of the development shall be open space of less than ten (10) percent grade, available for gathering spaces, parks, playgrounds and other areas that are easily accessible to people who may not be able to access steeper areas.
- (4) **Public.** Unless otherwise approved by the County, all open spaces shall be dedicated for the use of the public.
- (5) **Maintenance.** Provisions must be made for regular maintenance of all open spaces. Such maintenance may be provided through the homeowner's associations, or if accepted for a public purpose, may be provided through County services or park services. A proposal for open space maintenance should be presented to the County Planning office for review.

**16.15.14. Building Elements.**

All buildings shall be built to meet the requirements of this zone, the adopted building code and all Wasatch County Building requirements, including those contained in the Ridgeline/Viewshed requirements of this chapter.

**16.15.15. Setbacks.**

A setback line shall be established by the County Planner based upon a visual assessment of the property and the use for which it is intended. Building setbacks shall vary from structure to structure within any one lot or development. Setbacks shall also vary from those on adjoining roadway-oriented property to avoid creating a walled effect. Buildings shall be located in such a manner as to enhance and frame views as determined in the visual assessment, to allow for



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appropriate gathering and seating areas in commercial nodes, and to maximize the usable space on the lot. This assigned setback may be appealed directly to the Planning Commission.

**16.15.16. Affordable Housing.**

All developments will comply with the Affordable Housing Chapter of this Title and the policies implemented therein.

**16.15.17. Weed Control.**

The developer shall be responsible for the control and eradication of noxious weeds on all areas of the property including graded and disturbed areas until such time that the individual lot is sold, at which time the individual lot owners shall become responsible.

**16.15.18. Impact Fees.**

Each development and each individual lot contained within each development within the JBOZ shall be subject to any Wasatch County Impact Fees for the County and the District, as adopted and amended from time to time.

**16.15.19. Density Increases.**

The Planning Commission and the County Legislative Body, after public hearings, may award reasonable increases in density where appropriate and not barred by sensitive lands, as a means of compensating owners for dedication or contribution of approved schools sites, public facilities or increased open space above the required amount. Such density increases may not exceed twenty five (25) percent of the lowest base density that would have been granted for the zoning use. The twenty five (25) percent maximum shall be calculated based upon the lowest base density, and only one bonus may be granted for any qualifying category.

**16.15.20. Jordanelle Architectural Advisory Committee.**

All developments shall submit their plans and documents to the Jordanelle Architectural Advisory committee for review and recommendation prior to submission for Preliminary & Final Approval. The Committee shall review such project for compliance with Master CC&R's, which have been prepared by such advisory committee. A recommendation shall be issued within thirty (30) days after submission thereto or the project shall be deemed approved by such committee. This Committee shall serve in an advisory capacity only, and their recommendation shall be considered by the Planning Commission at the time of the hearing thereon. Until such time as the master CC&R's have been prepared, and the committee appointed, the Planning Commission shall act without such recommendation.



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**16.15.21. Sale Of Property Under Condominium Ownership Act.**

Where all or part of a development is structured as a condominium project, the documentation for the project shall comply with the provisions of the Utah Condominium Ownership Act, as well as with the provisions of the Wasatch County Code. To the extent there is a conflict between the provisions of this Title and the act, the provisions of the act shall control. All condominium projects must be submitted to and approved by the Planning Commission and County Legislative Body. No declaration, bylaw, or other instrument required by or under the act, shall be recorded in the office of the County Recorder unless and until the declaration, by law, or other instrument shall have been submitted to and approved by the Planning Commission and the County Legislative Body.

**16.15.22. Development Application Process.**

- (1) **GIS Data.** All spacial data shall be obtained through the Wasatch County Geographic Information Services (hereinafter referred to as “GIS”) Department, including, but not limited to ownership boundaries, topographical data, service district boundaries, slope, aspect, solar radiation, gross vegetative analysis, public lands survey coordinates, water courses, water bodies, land use designations and other pertinent data. Such information may be obtained, for which a fee will be charged. If it is not possible for the developer to use the resources, actual printouts of the information may be obtained from the GIS Department. However, the developer should be aware that it will take additional time and effort on the part of the GIS Department to produce such printouts. There will be a wait for such documents and a charge for the GIS Department Staff and equipment to produce such documents.
- (2) **Concept Plan.** A Concept Plan shall be prepared for all proposed developments. The Concept Plan shall conform to the goals of the Plan and the Wasatch County Code relating to the JBOZ. As used in this process the term “Concept Plan” refers to a preliminarily engineered sketch plan drawn to illustrate initial thoughts about the layout for open space lands, development sites, public trails, and street alignments, etc. This plan should be prepared using the spacial data available through the GIS Department and any other sources available to the Developer, as a guide to areas of the property, which will not support development due to constraints. This is the stage where drawings are tentatively illustrated, before heavy engineering costs are incurred in the design of any proposed development, but after consideration of the spacial data. The Concept Plan will be checked against the Land Use Plan and the overall vision of the Plan. These drawings shall be prepared by a team that is headed up by a landscape architect and includes a civil engineer, and an attorney and architect if appropriate. After preparation, an appointment should be made



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with the Planning Office to have the plan reviewed. The Planning Staff will issue a written response to their review indicating where the Concept Plan is not in compliance with the Plan, the JBOZ and the Wasatch County Code. The staff will issue recommendations which the developer may use to bring the plan into compliance. If the developer disagrees with the recommendations and wishes to proceed without making the recommended changes, he may apply for Preliminary approval at which time the Planning Commission and County Legislative Body will determine if any of the recommendations of the Planning Department may be varied or waived.

- (3) **Preliminary Plans.** The Preliminary Application Package shall contain a submittal of the application for the JBOZ in a form which complies with the Wasatch County Policy. The Preliminary Plans shall be drawn to a scale not smaller than one inch equals one hundred feet (1" = 100'), and shall show the following:
- (a) Project name and address;
  - (b) North point, scale, date;
  - (c) Survey as required by Wasatch County;
  - (d) Names, addresses, and telephone numbers of developer, engineer, and current and prospective owners;
  - (e) Nearest section corner tie, township(s) and range(s);
  - (f) Acreage, property dimensions, project perimeter, legal description;
  - (g) Jordanelle Land Use Plan information from Wasatch County GIS;
  - (h) All proposed phases of the development, numbered and defined, with approximate timetable for development;
  - (i) Location of entire development in relation to surrounding neighborhoods and developments (include names of adjacent subdivisions and developments, adjacent property owners' names and addresses, and adjacent land uses and buildings);
  - (j) Existing topography with a contour interval of two (2) feet;
  - (k) Grading plans illustrating cut and fill limits and limits of disturbance and landscaping plans including topographic lines, and evidencing conformance with the Jordanelle Master Drainage Plan;
  - (l) Existing and proposed lot lines, easements, walkways, streets and rights-of-way (public and private), including widths, names, and numbers, on subject and surrounding areas; proposed dedications of public use areas; existing and proposed curb, gutter, and



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sidewalk. Sidewalks may not be required in all residential areas, but should be noted on the plans if proposed by the developer or if required by the County after initial review. Commercial or mixed use areas will require sidewalks;

- (m) Existing waterways (including irrigation), significant vegetation, and natural features of the land;
- (n) Sensitive lands in the JBOZ, including slopes over twenty-five (25) percent, flood hazard areas, fault line set-back areas, wetlands, high water table areas, landslide areas, alluvial fan, flood debris flow, or collapsible soil hazard areas, shallow ground-water areas, stream or drainage corridor set-back areas, springs, seeps or surface water areas, detention basin areas, established road and utility corridors, ridge line areas and geologic hazards;
- (o) Soils testing and geotechnical analysis as required by the County;
- (p) Existing and proposed infrastructure including all fire hydrants, water and sewer lines, storm sewer system, and all utilities, including but not limited to electricity, natural gas, telephone, cable television;
- (q) Proposed layout of all public and private streets, if any, including profiles (same scale as site plan) and cross-sections (same as County standards, at an interval of one hundred (100) feet (or as determined by the County Planner);
- (r) Location and elevation drawings of existing and proposed buildings, signs, dumpster and utility enclosures, fences and other structures;
- (s) For commercial or mixed use projects, a landscaping plan illustrating evergreen / deciduous plant massing, planting materials, irrigation plans revegetation areas, limits of disturbance, etc. For residential single-family projects the following will be required;
  - (i) A calculation of the amount of water that will be needed on the land for landscaping purposes;
  - (ii) A plant materials list;
  - (iii) An irrigation, sprinkling system design plan;
  - (iv) A plan for the revegetation of cuts and fills;
  - (v) A letter from the Jordanelle Basin Architectural Review Committee evidencing their review and recommendations;



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- (t) Drainage plans illustrating that the development as planned does not impose adverse impacts to the drainage system or increase the sediment contribution to receiving waters. The Drainage Plan will illustrate methods of controlling runoff, directing flow and detaining or retaining water. Methods in preparing the necessary items to be contained in the Drainage Plan are described in A Guide for Erosion and Sediment Control for Wasatch County. The Drainage Plan shall include the following:
  - (i) Site Description;
  - (ii) Development Plan;
  - (iii) Drainage Assessment; and
  - (iii) Storm Water Pollution Prevention Plan.
- (u) Parking, access and loading plan, including required bus pullouts and/or other proposed mass transit plans;
- (iv) Unit configuration footprints and typical architectural elevations;
- (w) Tabulation of projected ERUs, as described in the Plan, number of housing units by type with the number of bedrooms, parking stalls provided, building square footage, building footprint square footage, open space acreage and percentage, landscape acreage and percentage, hard surface acreage and percentage;
- (x) View shed analysis illustrating existing and proposed views from selected vantage points. The County has identified eight vantage points within the Jordanelle Basin which the applicant may be required to prepare a view shed analysis. Compatibility to the surrounding environment and development, along with color, scale, and massing will be key elements evaluated. Any combination of the following vantage points may be required to be analyzed:
  - (i) From the Mayflower Interchange or from the visitor's center at Hailstone State Park;
  - (ii) From the viewpoint overlooking the dam along the road to Francis (SR-32) located on the south side of the Jordanelle Reservoir;
  - (iii) From the viewpoint along the road to Kamas (SR 248) located on the north east side of the Jordanelle Reservoir;
  - (v) From the intersection of SR 248 and old US Highway;

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- (vi) From the viewpoints along Highway 32 at Mile Markers 5, 6 and 8;
  - (vii) From the viewpoint at 7487 East Highway 32;
  - (v) From the Peoa/Oakley turn off on SR 248;
  - (vi) From the water near the middle of the north arm of the Jordanelle Reservoir; and
  - (vii) Visual assessments (from relevant designated vantage points as directed by the Wasatch County Planner) depicting conditions before and after the proposed development. These shall include the proposed location, size, design, landscaping, and other visual features of the project to assist in analyzing the potential aesthetic impact and most advantageous location of structures and other improvements to reduce any adverse impacts. The visual assessment shall be conducted using techniques as approved by the County Planner, including but not limited to sketches, models, hand-enhanced photographs, and computerized images. Selection of the appropriate technique will depend on the size of the development and the visual sensitivity of the proposed development site.
- (y) Any additional information which the County Planner and/or Planning Commission may reasonably require in a specific instance. Where a developer owns or controls more land than he or she wishes to develop immediately, the County may require that a preliminary plan of the whole area be submitted, in which case the developer shall indicate the portion to be developed immediately and the portion to be held for future development.
- (4) **Developer's Statement.** Although a full Environmental Impact Statement is not required for development under this plan, the developer must closely inspect his property and make a written representation to the Planning Department as follows:
  - (a) That the project will not consist of any development on natural or manmade slopes over twenty five (25) percent grade; If any development will occur on slopes over twenty five (25) percent the developer must disclose this fact since special geotechnical studies may be required, but in no event may any development occur on slopes over thirty (30) percent;
  - (b) That the project will not consist of any development within any fault line setback areas;



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- (c) That the project will not consist of any development or disturbance of any wetland areas;
  - (d) That the project will not consist of any development within any landslide hazard areas;
  - (e) That the project will not consist of any development within any flood hazard area;
  - (f) That the project will not consist of any development within any areas that contain alluvial fan, flood debris flow or collapsible soil hazard areas;
  - (g) That the project will not consist of any development within any shallow-ground water hazard areas, stream or drainage corridor setbacks, areas of springs or seeps or surface water areas;
  - (h) That the project will not consist of any development within any areas that are recommended locations for detention basins or established road and utility corridors;
  - (i) That the project will avoid any development that will protrude above any ridgelines. If any development will protrude above ridgelines, the developer must disclose this fact. In that event the Planning Staff shall investigate and find ways to relocate the building to an area that does not violate the Ridgeline Protection regulations, or the building site will not be approved.
- (5) **Incomplete or Incorrect Developer's Statement.** If a full and complete representation, as described in item #4 (a through i) above, cannot not be produced by the developer, or if any evidence later discovered indicates that such representation has not been made after a full inspection, or there has been any change in circumstances indicating the likelihood of a failure to be able to meet the standards of the above section, the County may require that certain site specific reports be prepared. Any and all such reports that the County determines to be necessary may be required as part of the Preliminary Process.
- (6) **Preliminary Documentation.** The Preliminary documentation shall include the following documents which shall be prepared in accordance with Wasatch County standards, and shall be submitted in accordance with the requirements of this Code, or any amendment thereto, with the required application fees. A sample of many of such documents may be obtained through the Planning Office, if requested. These documents shall be a draft copy of each document, which shall be reviewed and the final copies will be submitted with the Final documentation when application is made for Final Approval.

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- (a) Draft copy of Articles of Incorporation and Bylaws of the Property Owners Association;
- (b) Draft copy of Declaration of covenants, conditions, restrictions and management policies;
- (c) A will-serve letter from any Special Service District and/or other appropriate agency, indicating the availability of water, water service, sewer service, extended fire, extended police, schools, garbage collection and disposal, roads maintenance, trails maintenance, open space management, storm water detention, telephone service, electric service, natural gas, and other municipal type services;
- (d) A form of certification for each of the following (these are proposed certifications of what is intended to be placed on the plat, a sample of which may be obtained from the Planning office):
  - (i) Owner's dedications;
  - (ii) Surveyors certificate of accuracy of survey;
  - (iii) County Surveyor's approval;
  - (iv) Planning Commission approval;
  - (v) Special Service District and Special Improvement District approval;
  - (vi) County Executive approval of the plat and the acceptance of dedications of public lands, streets and easements;
  - (vii) County Fire Marshall's approval;
  - (viii) County Attorney's approval as to form;
  - (ix) Health Department approval;
  - (x) Weed Board approval;
  - (xi) Recreation District approval;
  - (xii) Public Works approval; and
  - (xiii) County Planning Office approval;
- (7) **Preliminary Procedures**
  - (a) Public Notice as required by Wasatch County Standards.
  - (b) Hearing before the Planning Commission: The Public hearing before the Planning Commission will be held, and comments requested from the public at that time. If, after such hearing the Planning Commission approves the project, a recommendation will



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be issued to the County Legislative Body. If any conditions are set forth in the recommendation which require them to be completed prior to placement on the County Legislative Body agenda, such conditions shall be completed.

- (c) The Planning office will then request that the matter be placed on the next available County Legislative Body agenda.
  - (d) Public Notice of the County Legislative Body hearing shall be given as required by the Wasatch County Standards for Public Notice.
  - (e) Hearing before the County Legislative Body: The hearing before the County Legislative Body will be held, and comments requested from the public at that time. If, after such hearing the County Legislative Body approves the project, the project may then proceed to apply for Final Approval, provided however if any conditions are set forth by the County Legislative Body, all such conditions must be met prior to application for Final Approval unless otherwise required by the County Legislative Body.
- (8) **Final Plans.** The Final Plans must first evidence how the Final Plans conform to the Preliminary Plans and any conditions for Preliminary Approval and such plans must include but not limited to the following:
- (a) Project name and address;
  - (b) North point, scale (not smaller than 1" = 100'), date;
  - (c) Development phase number, if a phased project;
  - (d) Names, addresses, and telephone numbers of developer, engineer, and current owners;
  - (e) Nearest section corner tie, township(s), and range(s);
  - (f) Lot lines, dimensions and area; adjacent lots and phases;
  - (g) Existing and proposed easements, walkways, streets, and rights-of-way (public and private), and trails, including widths, names, and numbers; proposed dedications of public use areas; existing and proposed curb, gutter and sidewalk (public and private);
  - (h) Existing waterways (including irrigation and piping);
  - (i) Topography (contours at 2-foot intervals) and site drainage plan which illustrate existing and proposed conditions;
  - (j) Existing vegetation to remain on development and natural features of the land;

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- (k) Sensitive lands including, but not limited to slopes over twenty five (25) percent, flood hazard boundary, wetlands, high water table areas and geologic hazards;
- (l) Soils testing and analysis. Geotechnical studies as required by the County;
- (m) UDOT approval for access off state roads; approval of Wasatch County Flood Control; approval of Army Corps of Engineers in wetlands or high water table areas; approvals of power, gas, telephone and cable companies where easements are proposed and service is required;
- (n) Final grading plans illustrating cut and fill limits and limits of disturbance;
- (o) Temporary construction erosion control plan;
- (p) Final drainage plan illustrating methods of controlling runoff, directing water flow, and detention / retention areas;
- (q) Existing and proposed utilities including, fire hydrants, water and sewer lines, and storm sewer system;
- (r) Location and elevation drawings of existing and proposed buildings, signs, dumpster and utility enclosures, fences and other structures including materials and colors;
- (s) Landscaping plan with irrigation system and plant species and sizes;
- (t) Parking, access, and loading plan;
- (u) Lighting plan;
- (v) Signage plans to comply with the Wasatch County Sign Regulations;
- (w) Architectural plans;
- (x) Tabulation of ERUs, as defined by the Plan, number of housing units by type and square footage, with the number of bedrooms, parking stalls provided, building square footage, building footprint square footage, open space acreage and percentage, landscape acreage and percentage, hard surface acreage and percentage;
- (y) Jordanelle Special Service District approval; and
- (z) Mitigating measures (to conform with Wasatch County Development Code and design standards as found in this document).



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- (9) **Final Documentation.** The following official documents prepared in a manner that will fully present information called for on forms provided by the County:
- (a) Articles of Incorporation and Bylaws of the Association;
  - (b) Declaration of covenants, conditions, restrictions, and management policies;
  - (c) Maintenance agreement between the developers, Property Owners Association, Jordanelle SSD, and the County, providing for the establishment of an impound account as a means of assuring proper maintenance of the development;
  - (d) Open space agreement acceptable to the County;
  - (e) Affordable housing agreement approved by County;
  - (f) Schools and civic agreement approved by County;
  - (g) An information brochure (prepared in accordance with County standards) for use in the sales program to inform all home buyers in simple terms about the Home Owners Association and the rights and obligations of lot owners;
  - (h) Itemized estimates of the cost of constructing all required improvements to be constructed in the development. The developer shall also submit a report to the County Planning Commission pertaining to the source or sources of the construction funds;
  - (i) A statement from the State Health Department, through the County Health Department, granting engineering approval of the development pertaining to water and sewerage facilities;
  - (j) A final form of certification for each of the following (these are the certifications intended to be placed on the plat):
    - (i) Owner's dedications;
    - (ii) Surveyors certificate of accuracy of survey;
    - (iii) County Surveyor's approval;
    - (iv) Planning Commission approval;
    - (v) Jordanelle Special Service District approval and Jordanelle Special Improvement District approval;
    - (vii) County Executive approval of the plat and the acceptance of dedications of public lands, streets and easements;
    - (viii) County Fire Marshall's approval;

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- (ix) County Attorney's approval as to form;
- (x) Health Department approval;
- (xi) Weed Board approval;
- (xii) Recreation District approval;
- (xiii) Public Works approval;
- (xiv) County Planning Office approval;
- (xv) County Engineer;
- (xvi) County Sheriff's Department; and
- (xvii) Jordanelle Architectural Advisory Board.

**(10) Procedures for Final.**

- (a) Public Notice as required by the Wasatch County Code.
- (b) Hearing before the Planning Commission: The Public hearing before the Planning Commission will be held, and comments requested from the public at that time. If, after such hearing the Planning Commission approves the project, the County Executive may sign the approved plat.

**(11) Final Plat Recordation.** A final plat shall be prepared on a reproducible mylar drawn in accordance with County standards at a scale not smaller than one inch equals one hundred feet (1" = 100'), and shall show the following:

- (a) Boundaries of the development and location of all required survey monuments;
- (b) Location of all lot lines;
- (c) Location and extent of all street and other parcels of land to be dedicated to the public and to be retained in private ownership;
- (d) Location and extent of all easements; and
- (e) The certifications previously proposed and approved as part of the Final Documentation provided.